In the High Court of Punjab and Haryana at Chandigarh.

F.A.O.No.145 of 1986.

Date of decision:20.9.2006.

Karnail Singh and another.

...Appellants.

Versus

Wasakha Singh and others.

...Respondents.

...

Coram: Hon'ble Mr. Justice S. N. Aggarwal.

...

Present: Mr.H.S.Sirohi Advocate for the appellants.

...

Judgment.

S. N. Aggarwal, J.

On 28.4.1984, Beant Singh died in a motor vehicle accident. He was aged 20 years and was working in the office of Chief Medical Officer, Faridkot in Malaria Branch. He was unmarried. Karnail Singh father and Kirpal Kaur mother of said Beant Singh filed the claim petition. The claim petition was dismissed by the learned Motor Accident Claims Tribunal, Faridkot vide order dated 2.1.1986 on the plea that father of the deceased namely Karnail Singh was working as a Beldar and he was getting Rs.605/- per month as salary. It was further held by the learned Motor Accident Claims Tribunal that

the claimants have not deposed any where if they were dependents on the salary of their son Beant Singh.

The claimants/appellants have filed this appeal against the said order.

The learned counsel for the appellants submits that Beant Singh was earning Rs.533/- per month. He was un-married. He was about 20 years old. After four or five years, he would have got married and his salary would have been diverted towards the maintenance of his own family and the dependency of the appellants would have come down. Keeping in view the above factors, the appellants are awarded a sum of Rs.70,000/- (Rs.Seventy thousands only). They would also be entitled to interest at the rate of 7% per annum from the date of filing of claim petition till the payment of compensation.

It has also been held by the learned Motor Accident Claims Tribunal that the driver/respondent was holding a valid driving licence and the Insurance Company has been held liable to pay the amount of compensation. Therefore, respondent No.5 shall be liable to pay the amount of compensation.

This appeal is disposed of in the above terms.

September 20,2006. (S. N. Aggarwal)
Jaggi Judge